

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HEARTLAND REHABILITATION
SERVICES,

Case No. 06-11769

Plaintiffs,

Honorable Arthur J. Tarnow
United States District Judge

v.

JOHN MEKJIAN, *et al.*,

R. Steven Whelan
Magistrate Judge

Defendants.

**ORDER DENYING DEFENDANT MEKJIAN'S MOTIONS FOR SUMMARY
JUDGMENT [DE 146 AND 148], DENYING IN PART AND GRANTING IN PART
DEFENDANTS PERFORMAX ENTITIES' MOTIONS FOR SUMMARY JUDGMENT
[DE 147], AND DISMISSING DEFENDANT PERFORMAX OF LIVONIA FROM THE
CASE**

Before the Court are three motions for summary judgment on which oral argument was heard on December 10, 2007. Defendant Mekjian brought motions as to liability [DE 146] and as to causation and damages [DE 148], and Defendants Performax Physical Therapy of Livonia, P.C., Performax Physical Therapy of Monroe, P.C., and Performax Physical Therapy, P.C., filed the third [DE 147]. For the reasons stated on the record at the hearing,

IT IS HEREBY ORDERED that Defendant Mekjian's motions for summary judgment [DE 146 and 148] are DENIED.

IT IS FURTHER ORDERED that Defendant Performax's motion for summary judgment is GRANTED IN PART, insofar as Performax Physical Therapy of Livonia is DISMISSED.

IT IS FURTHER ORDERED that Defendant Performax's motion for summary judgment [DE 147] is otherwise DENIED.

SO ORDERED.

S/ARTHUR J. TARNOW
Arthur J. Tarnow
United States District Judge

Dated: December 12, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 12, 2007, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR
Case Manager